

Arent Fox

April 7, 2010

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, D.C. 20554

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RE: WC Docket No. 07-245; GN Docket No. 09-51

Dear Ms. Dortch:

On behalf of Sunesys, LLC ("Sunesys"), and in accordance with Section 1.1206(b) of the Commission's Rules, 47 C.F.R. §1.1206(b), undersigned counsel hereby submits the instant notice of *ex parte* presentation.

On April 6, 2010, undersigned counsel, on behalf of Sunesys, met with Priya Aiyar, legal advisor to the Chairman. During this meeting, Sunesys discussed the urgent need for the Commission to impose a time period for the issuance of pole attachment permits. By imposing such a time period, the Commission will, among other things, help to eliminate the delays involved in the issuance of such permits, which delays undermine broadband deployment. Sunesys also discussed the need to ensure that where access is not provided within the imposed time period, an attacher should have the right to use utility approved independent contractors to complete the work.

During the meeting, Sunesys also discussed the following: (i) that under Section 224(e)(1) the Commission has the authority to ensure that all providers of broadband, regardless of whether the other service they provide is cable or telecommunications, should pay the same rate for pole attachments (the cable rate); and (ii) the Commission should, by rule, prohibit pole owners from charging attachers for pole betterment unrelated to the attachment (e.g., the Commission should bar pole owners from charging attachers for fixing pre-existing pole violations unrelated to the attachment).

This notice is being electronically filed with the Commission.

Respectfully submitted,



Alan G. Fishel